

Panaji, 13th February, 2020 (Magha 24, 1941)

SERIES II No. 46

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are three Extraordinary issues to the Official Gazette, Series II No. 45 dated 06-02-2020 as follows:—

- (1) *Extraordinary dated 06-02-2020 from pages 837 to 838 regarding Notification from Raj Bhavan.*
- (2) *Extraordinary (No. 2) dated 06-02-2020 from pages 839 to 840 regarding Corrigendum from Department of Elections.*
- (3) *Extraordinary (No. 3) dated 12-02-2020 from pages 841 to 844 regarding Order & Notifications from Department of Panchayati Raj & Community Development.*

GOVERNMENT OF GOA

Department of Co-operation

Office of the Registrar of Co-operative Societies

Order

No. 15-318-ADT/RCS/2017/4939

Whereas, the Maharashtra V.K.S.S. Society Ltd., Gokulwadi, Sankhalim-Goa (hereinafter referred to as "the said society") was registered on 03-01-1963 bearing registration No. C/27. The area of operation of the said society is restricted to Sankhalim, Gauthan and Viridi village with common intention to assist the farmers with their agricultural needs and to fulfill the objectives as laid down under bye-law of the society.

And whereas, the accounts of the said society for the year 2017-2018 have been audited by Shri B. Y. Sawant, the Certified Auditor from the panel of Auditors constituted by the Department wherein the said Auditor has pointed out misappropriation of the fund of the society amounting to ₹ 32,62,294/- during the period under audit.

And whereas, the Secretary of the aforesaid society, vide letter dated 28-03-2019 informed that other than above misappropriated amount society has also found discrepancies in Saving Bank Accounts of the members and requested this office to conduct re-audit of the said society for the

period from 2017-2018 to ascertain the actual misappropriated amount in the funds of society.

And whereas, considering the gross negligence and mis-appropriation in the funds of the society the Registrar of Co-operative Societies, has appointed Shri G. R. Shanbhag, Chartered Accountant, Ponda-Goa to conduct re-audit of Maharashtra V.K.S.S. Society Ltd., Gokulwadi, Sankhalim-Goa, for the year 2017-2018.

And whereas, the concerned CA after proceeding with said re-audit has informed that all the staff of Maharashtra V.K.S.S. Society Ltd., Gokulwadi, Sankhalim-Goa, with common intention hatched criminal conspiracy, alleged to be misappropriated gold ornaments pledged to the society by fraudulently removing the same from the societies lockers and thereafter mortgaged the same with other financial institutions/banks and obtained gold loan for their wrongful gain.

And whereas, the concerned Chartered Accountant also informed this office that there exists lot of manipulations, scribbling in the figures in saving bank account and is very difficult to locate it properly. The daybook, the cashbook and general ledger do not match with the figures due to alterations. The society has maintained fixed deposit account however some of the FD's do not match with the documentary evidence. There are major irregularities in the payments of electricity bill and the figures of daybook and cashbook does not tally. Due to misappropriation, the affairs of the society has reached to a standstill stage and the society is facing constraints to meet with the demands of its depositors and gold loanee members.

And whereas, the duties of the Board of Directors are clearly laid down under bye-laws of the society and keeping this in view, it was expected from the Board to discharge their duties and responsibilities in accordance with the provision of bye-law of society. However, it transpires from the present position that the Board has failed to perform their duties as per the Act

Rules and Bye-laws, thereby adopted a lenient view at the helm of affairs of the society. This also underlines the fact that as a part of precautionary measures, Government's intervention is required immediately in the larger interest of the members/depositors and shareholders of the society.

And whereas, due to misappropriation/fraud in the various accounts of the society, the possibility of developing a scare of insecurity in the minds of the depositors & the general members cannot be ruled out. If this scare of insecurity is allowed to continue further, then there is every possibility that the situation may go out of control in near future. Therefore from the past experience and predicting such type of unpleasant eventualities and to restrict the society from carrying out the business in a manner detrimental to the interest of the members/depositors in particular and the society in general, the Government on receipt of the report from the Registrar and in exercise of the powers vested in it under Section 68 of the Goa Co-op. Societies Act, 2001 is inclined to impose following restrictions on the Maharashtra V.K.S.S. Society Ltd., Gokulwadi, Sankhali-Goa:-

1. The society shall stop collecting all types of fixed deposits until further order.
2. The society shall stop collecting all types of bills such as electricity bill, water bills etc. until further order.
3. The society shall not make any advances to any individual member until further order.
4. The society shall put all efforts to recover misappropriated amount and gold ornaments fraudulently mortgaged with other financial institutions/banks, from the alleged persons.
5. The Asstt. Registrar of Co-op. Societies, Bicholim Zone shall strictly enforce, the guidelines issued by this office in respect of gold loans vide circular No. 15-228-2008/ADT/RCS/part file/1421 dated 6-07-2017 to stop the gold loans advances from the society.
6. The Asstt. Registrar of Co-op. Societies, Bicholim Zone, shall take overall review of progress made by the society in respect of disbursement of loans, recovery of gold ornaments and misappropriated money etc. after every 3 months and thereafter submit a detail report to the Head Office suggesting to withdraw or to continue with the restrictions as the case may be.

The above directives shall remain in force till further order and the same shall be strictly adhered to. Any non-compliance of the above said directives shall be viewed seriously.

This order is issued with the approval of Government and the same shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Vikas S. N. Gaunekar, Registrar & ex officio Joint Secretary (Co-op. Societies).

Panaji, 23rd January, 2020.



Department of Education, Art & Culture

Directorate of Education

Order

No. 1(2)-1-2015/SE/199

Government is pleased to transfer Kum. Ansari Azra Z.A., Headmaster, Bhagwan Mahavir Government High School, Honda, Satari and post her as Headmaster, Government High School, Advoi, Satari with immediate effect.

Smt. Sheetal S. Kadam, Headmaster, Government High School, Advoi, Satari under the Directorate of Education shall be stationed at the Directorate of Education, Porvorim, awaiting posting with immediate effect. She shall draw her pay & allowances against the post of Headmaster, Bhagwan Mahavir Government High School, Honda, Satari, until further orders.

Shri Ulhas B. Gaonkar, Headmaster, Government High School, Pissurlem, Satari-Goa shall hold the additional charge of the post of Headmaster, Bhagwan Mahavir Government High School, Honda, Satari-Goa, in addition to his own duties with immediate effect, until further orders.

The above Headmasters are entitled for TA/DA as admissible as per rules.

The above Headmasters stand relieved immediately.

The Officers shall complete handing over and taking over process with immediate effect and submit compliance.

They should submit a copy of their joining report to the concerned Zonal Office under intimation to this Directorate and report to the place of posting immediately.

This issues with the approval of the Government vide U.O. No. 552/F dated 20-01-2020.

By order and in the name of the Governor of Goa.

Vandana Rao, IAS, Director & ex officio Joint Secretary (Education).

Porvorim, 10th February, 2020.

Directorate of Higher Education

Order

No. ACAD-III/GC/Filling of Posts/04/2018/10796

Read: Memorandum No. ACAD-III/GC/Filling of Posts/04/2018/7314 dated 05-12-2019.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/78(4)/2015/232 dated 01-11-2019, Government is pleased to appoint Shri Aaron Avelino Pereira to the post of College Director of Physical Education in the Goa College of Music, Altinho, Panaji-Goa under Directorate of Higher Education on temporary basis in the Pay Matrix Level 10 [Pay Band-3, Rs. 15,600-39,100+Academic Grade Pay of Rs. 6,000/- (pre-revised)] with immediate effect, and as per the terms and conditions contained in the Memorandum cited above.

Shri Aaron Avelino Pereira shall be on probation for a period of two years.

Shri Aaron Avelino Pereira has been declared medically fit by the Medical Board. The appointment is made subject to the verification of

his character and antecedents. In the event of any adverse remarks noticed by the Government on verification of his character and antecedents, his services shall be terminated.

He shall draw his salary against the newly created post vide Order No. 1/5/2017-DHE/1024 dated 07-06-2018.

By order and in the name of the Governor of Goa.

Premraj K. Shirodkar, Under Secretary (Higher Education).

Porvorim, 5th February, 2020.

Certificate

No. ACAD III/SHEC/Filling of Posts/02/2019/
/Part-I/10730

Read: ACAD III/SHEC/Filling of Posts/02/2019/
/Part-I/7916 dated 01-01-2020.

Certified that the character and antecedents of Ms. Vandana Ulhas Naik appointed to the post of Assistant Professor for Research, Development and Innovation for State Higher Education Council (Group "A" Gazetted) under Directorate of Higher Education vide above referred Order has been verified by the Addl. Collector & ADM, North, Office of the District Magistrate, North Goa, Panaji-Goa and nothing adverse has come to the notice of the Government.

Premraj K. Shirodkar, Under Secretary (Higher Education).

Porvorim, 29th January, 2020.

Department of Forest

Order

No. 4-3-2014/FOR/57

On recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide letter No. Com/II/11/22(1)2016/332 dated 28-01-2020, the Governor of Goa is pleased to promote Shri Pradeep Verekar, Assistant Conservator of Forest (ACF), to the post of Deputy Conservator of Forest (DCF), Group "A" Gazetted, in the pay scale of PB-3 Rs. 15,600-39,100+6,600/- (Level-11 of the 7th Pay Commission) on regular basis in the Office of the

Principal Chief Conservator of Forests, Forest Department, Panaji, with immediate effect.

The above officer shall be on probation for a period of two years.

The officer shall exercise the option for fixation of pay within one month from the date of this order in terms of F.R. 22(I)(a)(1).

The pay of officer on promotion shall be fixed as per C.C.S.(RP) Rules, 2016.

By order and in the name of the Governor of Goa.

Shaila G. Bhosle, Under Secretary (Forests).

Porvorim, 10th February, 2020.

Order

No. 4-4-2012/Seniority/FOR/Part/54

On recommendation of the Goa Public Service Commission as conveyed vide letter No. COM/II/12/22(1)/2015/333 dated 28-01-2020, the Government is pleased to declare the below mentioned four (04) Assistant Conservator of Forests (ACFs) having satisfactory completed the probation period of two years as mentioned hereinbelow:

Sr. No.	Name of the officer	Date of joining regular service as Assistant Conservator of Forests	Date of completion of probation period	Date of Birth
1.	Shri Amar A. Heblekar	28-03-2016	27-03-2018	18-08-1968.
2.	Shri Shrikrishna R. Prabhu	29-03-2016	28-03-2018	20-09-1962.
3.	Shri Anant G. Samant	29-03-2016	28-03-2018	28-10-1961.
4.	Shri Deepak G. Pednekar	06-04-2016	05-04-2018	06-04-1970.

By order and in the name of the Governor of Goa.

Shaila G. Bhosle, Under Secretary (Forests).

Porvorim, 6th February, 2020.



Department of Home

Home—General Division

Order

No. 9/15/87-HD(G)/PF/292

- Read: 1. Notification No. 9/15/87-HD (G) dated 01-12-2000.
 2. Order No. 9/15/87-HD (G) dated 28-09-2007.
 3. Order No. 9/15/87-HD (G) dated 24-04-2012.
 4. Order No. 9/15/87-HD (G)/PF/3304 dated 16-10-2014.
 5. Order No. 9/15/87-HD (G)/PF/1598 dated 06-06-2017.
 6. Order No. 9/15/87-HD (G)/PF/1341 dated 18-08-2019.

In exercise of power conferred by Rule 376 of the Goa Prison Rules, 2006, Government of Goa is pleased to constitute Board of Visitors for the New Modern Central Jail, Colvale, Bardez, Goa, which is as follows:-

(I) Non-Official Visitors in terms of Rule 378 shall be as follows:

Sr. No.	Name of the Non-Official Visitors	Designation
1	2	3
1.	Shri Pravin Zantye	MLA, Maem.
2.	Shri Nilkanth Halarnkar	MLA, Thivim.

1	2	3
3.	Shri Dayanand Sopte	MLA, Mandrem.
4.	Chairperson, Goa State Women Commission	
4.	Smt. Suhasini Prabhugaonkar	Social Worker.

(II) The Ex-Officio Visitors as per Rule 377 of the Goa Prison Rules, 2006 are as follows:-

1. District & Sessions Judge, North Goa, Panaji Chairman.
2. District Magistrate, North Goa, Panaji.
3. Director General of Police, Panaji.
4. Superintendent of Police (North), Porvorim.
5. Chief Engineer, Public Works Department, Altinho, Panaji.
6. Director of Handicrafts and Textile, Panaji.
7. Director of Agriculture, Panaji.
8. Director of Animal Husbandry & Veterinary Services, Panaji.
9. Director of Education, Panaji.
10. Director of Social Welfare, Panaji.
11. Director of Institute of Psychiatric & Human Behavior, Bambolim.
12. Director of Health Services, Panaji.

(III) In terms of Rule 379(3) of the Goa Prison Rules, 2006, the tenure of Non-Official Visitors shall ordinarily be of two years and of the Members of Goa State Legislative Assembly shall be one year or till the member ceases to be a member of Goa State Legislative Assembly, whichever is earlier.

(IV) The above order will be effective from the date of issue.

(V) This issues in supersession of the earlier Order No. 9/15/87-HD(G)/PF/1341 dated 18-08-2019.

By order and in the name of the Governor of Goa.

Nilesh K. Dhaigodkar, Under Secretary (Home).

Porvorim, 27th January, 2020.



Department of Industries

Order

No. 3/97/2011-IND(Vol.IV)/72

Government of Goa is pleased to constitute a District Level Export Promotion Committee under the Chairmanship of District Magistrate/Collector for South Goa District of the State of Goa as under:-

Composition of District Export Promotion Committee

Official/Department	Role
1	2
District Magistrate/Collector (South)	Chairperson.
Designated Director General of Foreign Trade/Regional Authorities (DGFT/RA)	Co-Chair.
General Manager–District Industries Centre (DIC), Directorate of Industries, Trade & Commerce	Member.
Deputy Director (Industries), Directorate of Industries, Trade & Commerce	Member.
Lead Bank Manager	Member.
Representative of Ministry of Micro, Small & Medium Enterprises–Development Institute (MSME-DI), Margao	Member.
Representative from Goa Chamber of Commerce & Industry (GCCI) dealing with exports related matters	Member.
Representatives from Department of Agriculture	Member.
Representatives from Directorate of Fisheries	Member.
Representatives from Department of Information Technology	Member.

1	2
Representatives from Directorate of Food & Drugs Administration	Member.
Representative Export Inspection Council	Member.
Representative from National Bank for Agriculture & Rural Development (NABARD)	Member.
Representative from Small Industries Development Bank of India (SIDBI)	Member.
Representative from Directorate of Mines & Geology	Member.
Representative from Goa Industrial Development Corporation (GIDC)	Member.
Any other Member with the approval of Chairperson	

The Terms of Reference of the Committee shall be as under:-

- (i) Benchmarking baseline export performance of district-current situation.
- (ii) Identification of potential export products from the district.
- (iii) Creation of district level export action plan with quantifiable targets.
- (iv) Creation of sub-groups for each identified potential export product-involving stakeholders like manufacturers, artisans, exporters of the identified products.
- (v) Monitoring sub-group activities for export promotion of identified sub-groups for each product.
- (vi) Identification of bottlenecks for exports of potential products.
- (vii) Identifying training and development needs of each district industries and co-ordination for training with other Departments.
- (viii) Act as one point facilitator for export promotion at district level.
- (ix) Liaison with and report progress to State Level Export Promotion Committee.
- (x) Update Online DEPC Progress Monitoring Portal.
- (xi) Dissemination of information through trainings, seminars, guest lectures, practical training, exchange visits with other districts as excellence.

(xii) Report progress at identified intervals of State Level Export Promotion Committees headed by Chief Secretaries of each State.

(xiii) Any other matter to be referred by the Chairman.

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Industries).

Porvorim, 5th February, 2020.

Order

No. 3/97/2011-IND(Vol.IV)/74

Government of Goa is pleased to constitute a District Level Export Promotion Committee under the Chairmanship of District Magistrate/Collector for North Goa District of the State of Goa as under:-

Composition of District Export Promotion Committee

Official/Department	Role
District Magistrate/Collector (North)	Chairperson.
Designated Director General of Foreign Trade/Regional Authorities (DGFT/RA)	Co-Chair.
General Manager–District Industries Centre (DIC), Directorate of Industries, Trade & Commerce	Member.
Deputy Director (Industries), Directorate of Industries, Trade & Commerce	Member.
Lead Bank Manager	Member.
Representative of Ministry of Micro, Small & Medium Enterprises–Development Institute (MSME-DI), Margao	Member.
Representative from Goa Chamber of Commerce & Industry (GCCCI) dealing with exports related matters	Member.
Representatives from Department of Agriculture	Member.
Representatives from Directorate of Fisheries	Member.
Representatives from Department of Information Technology	Member.
Representatives from Directorate of Food & Drugs Administration	Member.

1	2
Representative Export Inspection Council	Member.
Representative from National Bank for Agriculture & Rural Development (NABARD)	Member.
Representative from Small Industries Development Bank of India (SIDBI)	Member.
Representative from Directorate of Mines & Geology	Member.
Representative from Goa Industrial Development Corporation (GIDC)	Member.
Any other Member with the approval of Chairperson	

The Terms of Reference of the Committee shall be as under:-

- (i) Benchmarking baseline export performance of district-current situation.
- (ii) Identification of potential export products from the district.
- (iii) Creation of district level export action plan with quantifiable targets.
- (iv) Creation of sub-groups for each identified potential export product-involving stakeholders like manufacturers, artisans, exporters of the identified products.
- (v) Monitoring sub-group activities for export promotion of identified sub-groups for each product.
- (vi) Identification of bottlenecks for exports of potential products.
- (vii) Identifying training and development needs of each district industries and co-ordination for training with other Departments.
- (viii) Act as one point facilitator for export promotion at district level.
- (ix) Liaison with and report progress to State Level Export Promotion Committee.
- (x) Update Online DEPC Progress Monitoring Portal.
- (xi) Dissemination of information through trainings, seminars, guest lectures, practical training, exchange visits with other districts as excellence.
- (xii) Report progress at identified intervals of State Level Export Promotion Committees headed by Chief Secretaries of each State.

(xiii) Any other matter to be referred by the Chairman.

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Industries).

Porvorim, 5th February, 2020.

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Department of Labour

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Notification

No. 28/2/2020-LAB/Part-I/91

The following award passed by the Labour Court-II, at Panaji-Goa on 06-01-2020 in case No. Ref. LC-II/IT/11/16 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 30th January, 2020.

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IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

**(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)**

Case No. Ref. LC-II/IT/11/16

Shri Ramdas Naik,
R/o. Madkai, Ponda-Goa. Workman/Party I
V/s

M/s. Procter and Gamble Hygiene
and Health Care Ltd.,
Plot No. 173, GDDIC, Kundaim,
Ponda-Goa. Employer/Party II

Workman/Party-I present in person.

Employer/Party-II represented by Adv. Shri G.B. Kamat.

Panaji, Dated: 06-01-2020.

AWARD

1. In exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa, by Order dated 10-10-2016, bearing No. 28/32/2016-Lab/719 referred the following dispute for adjudication to this Labour Court-II, Panaji, Goa.

"1. Whether the action the management of M/s. Procter and Gamble Hygiene and Health Care Ltd., Plot No. 173, GDDIC, Kundaim, Ponda-Goa in dismissing from service Shri Ramdas Naik, Technician, with effect from 12-12-2012, is legal and justified?"

2. If not, to what relief the Workman is entitled?"

2. On receipt of the reference, a case was registered under No. LC-II IT/11/16 and registered A/D notice was issued to the Parties. In pursuance to the said notice, the Parties put in their appearance. The Workman/Party-I (for short 'Workman'), filed his Statement of Claim on 12-01-2017 at Exb-4. The facts of the case in brief as pleaded by the Workman are that the Employer/Party-II (for short 'Employer') is manufacturing sanitary napkin products. He stated that he was working as a 'Technician' with the Employer since 01-10-1991 till he was suspended from service.

3. He stated that on 21-03-2011, he had fixed his sister's wedding, however, it was not confirmed due to some family difficulties. He stated that he had verbally informed the manager for leave requirement for the aforesaid reason and that he also told that the date of wedding was not confirmed. He stated that on 22-03-2011, i.e. the next day of his sister wedding, he personally went to meet the manager, Mr. Anup for leave as he was disturbing him by calling him again and again to join the duties. He stated that the said manager, Mr. Anup also threatened him that he would be in loss of pay. He stated that on both the days, the said Mr. Anup was not in his office and he was waiting for him. He stated that he informed HR Manager, Mr. Arpan Gupta about his urgent leave and that he would join on duty on 26-03-2011. He stated that the said Mr. Arpan Gupta agreed for the leave and also told him that he would convey the same to Mr. Anup. He stated that he joined the duties on 26-03-2011 instead of 02-04-2011 before period of expiry of his leave.

4. He stated that after resuming duty on 26-03-2011, Mr. Anup started harassing him. He stated that to his surprise, on 08-06-2011 he was put under suspension on the ground that he has abused and insulted the supervisor. He stated that he was suspended without conducting any preliminary enquiry on a concocted story. He stated that he was issued a charge-sheet dated 21-06-2011 without giving copies of the complaint. He stated that he was dismissed from service vide dismissal order dated 12-12-2012 without conducting a fair and proper enquiry. He stated that he raised a dispute before the Dy. Labour Commissioner, Ponda on 04-12-2012, which ended in failure.

5. He contended that the Enquiry Officer was biased and conducted an enquiry in unfair and improper manner. He submitted that the Enquiry Officer has acted as an agent of the management. He submitted that the punishment imposed upon him is severe in nature and has made discrimination against him. He submitted that the enquiry was conducted in violation of principles of natural justice. He submitted that he is a married person and is having dependent mother, wife and two school going children. He therefore prayed that his dismissal from service be declared as illegal, unjustified and bad-in-law and direct the Employer to reinstate him with full back wages and continuity in service.

6. The Employer resisted the claim of the Workman by filing its written statement on 22-02-2017 at Exb. 6. The Employer, as and by way of its preliminary objections, submitted that the reference filed by the Workman is bad-in-law, that the Workman has not given any justification for the demands/claim raised by him, that the present dispute of the Workman is not an 'industrial dispute' as defined u/s 2 (k) of the I.D. Act, 1947 and that there is non-application of mind by the Appropriate Government while referring the present dispute.

7. The Employer stated that it is in the manufacture of hygiene and health care products. The Employer stated that the Workman had raised the present dispute just to pressurize and harass them without any justifiable reasons. The Employer submitted that it had followed the proper procedure with due regards to the principles of natural justice in case of the Workman. The Employer submitted that its decision in the matter of the Workman is legal, just and not in contravention of any law. The Employer stated that the Workman was involved in several acts of misconduct during his service tenure. The Employer stated that they have afforded him several opportunities to improve his behavioral and other related issues at workplace. The Employer stated that it believes in maintaining best of the relations with its employees and if any issue arises, they believe in settling the same amicably. The Employer stated that however, the acts of the Workman at workplace constrained them to initiate disciplinary proceedings against him as he failed to avail and improve even after affording several such opportunities as mentioned above time and again. The Employer stated that the Workman was placed under suspension vide suspension letter dated 08-06-2011 and he was regularly paid suspension allowances as per law.

8. The Employer stated that a charge-sheet-cum-notice of enquiry dated 21-06-2011 was issued to the Workman. The Employer stated that they have instituted an enquiry by appointing Mr. Prasanna C. Chawdikar an advocate, as an Enquiry Officer to conduct an impartial enquiry. The Employer stated that accordingly, the enquiry was conducted by an impartial and competent Enquiry Officer. The Employer stated that the enquiry has been conducted in accordance with the principles of natural justice. The Employer stated that the Workman was given every conceivable opportunity to participate and present his case during the enquiry. The Employer stated that after conclusion of the enquiry, the Enquiry Officer submitted his findings dated 03-10-2012 holding that the Workman guilty of charges levelled against him as mentioned therein. The Employer stated that it has perused the charges, the proceedings of the enquiry and the findings of the Enquiry Officer and concluded that the enquiry has been concluded in accordance with the principles of natural justice and the findings of the Enquiry Officer are fair, proper and based on evidence on record. The Employer stated that it can be seen that the Enquiry Officer has given his reasoned findings. The Employer stated that considering the gravity of proved misconduct, past records, they dismissed the Workman from its services vide dismissal letter dated 12-12-2012 and paid his all the legal dues as per the law which has been duly accepted by him. The Employer therefore submitted that the termination of services of the Workman is therefore legal and justified and hence, he is not entitled for any relief as claimed by him in the present case.

9. The Employer stated that the Workman is gainfully employed immediately from the date of his dismissal and as such his mother, wife and two school going children can be looked after by him without any hurdles. The Employer stated that the Workman is having many sources of income and as such, he is not facing any hardships due to his dismissal from service. The Employer stated that in the event, this Hon'ble Court come to the conclusion that the enquiry proceedings held against the Workman was not conducted fairly and properly for any reason whatsoever and that the findings of the enquiry are perverse or vitiated for any reason whatsoever and for the said reasons the proceedings of the enquiry are liable to be set aside, they may be permitted to hold the said enquiry a fresh and/or to lead evidence a fresh before this Hon'ble Court to prove the charges of misconduct against the Workman to its satisfaction.

The Employer denied the overall case as pleaded by the Workman and prayed for dismissal of the present reference.

10. Thereafter, the Workman filed his rejoinder at Exb.11. The Workman, by way of his rejoinder, reiterates all the submissions and averments made by him in his Claim Statement to be true and correct and denies all the statements and averments made by the Employer in their Written Statement, which are contrary and inconsistent to the statements and averments made by him.

11. Based on the pleadings filed by the respective parties, this court framed the following issues on 25-07-2017 at Exb.13.

1. Whether a free, fair and proper enquiry has been conducted against the Workman/Party I in accordance with the principles of natural justice?
2. Whether the charges of misconduct leveled against the Workman/Party I vide charge sheet dated 21-06-2011 are proved to the satisfaction of this court by an acceptable evidence?
3. Whether the Workman/Party I proves that the action of the Employer/Party II in dismissing him from service w.e.f. 12-12-2012, is illegal and unjustified?
4. Whether the Employer/Party II proves that the reference is not maintainable and bad-in-law in view of the reasons stated in para (a) to (d) of its written statement?
5. Whether the Workman/Party I is entitled to any relief?
6. What Order? What Award?

12. My answers to the aforesaid issues are as under:

- | | |
|---------------------|---|
| (a) Issue No. 1 | : In the affirmative. |
| (b) Issue No. 2 | : Partly in the affirmative and partly in the negative. |
| (c) Issue No. 3 | : In the negative. |
| (d) Issue No. 4 | : In the negative. |
| (e) Issue No. 5 & 6 | : As per final order. |

REASONS

I have heard the oral arguments of the Workman in person as well as Ld. Adv. Shri G.B. Kamat, appearing for the Employer. Ld. Adv. Shri G.B. Kamat, representing the Employer also filed synopsis of Written Arguments on behalf of the Employer.

13. During the course of oral arguments, the Workman submitted that he was working for the Employer as a Technician since 01-10-1991 till he was suspended from service w.e.f. 08-06-2011. He submitted that he was issued a charge-sheet dated 21-06-2011 for the misconduct of wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior, wilful damage to or loss of Employer's good or property, habitual absence without leave or absence without leave for more than 10 days, riotous or disorderly behaviour during working hours at the establishment or any act subversive of discipline, neglect of work. He submitted that vide order dated 11-06-2019 passed by this Hon'ble Court in answering the preliminary issue No. 1 and 2, held that a fair and proper enquiry has been conducted against the Workman in respect of charge-sheet dated 21-06-2011 and that except the charge of habitual absence without leave or absence without leave for more than 10 days, all the charges of misconduct levelled against the Workman, vide charge-sheet dated 21-06-2011 have been proved to the satisfaction of this court by acceptable evidence. He submitted that the charges proved against him are not severe and grave. He submitted that he was a confirmed employee and had worked with the Employer continuously since 01-10-1990 till the date of his termination w.e.f. 12-12-2012. He submitted that he had unblemished past service record with the Employer. He submitted that during the course of his employment with the Employer, he has been awarded meritorious certificate several times. He submitted that as per the Standing Orders of the Employer applicable to him, the Workman cannot be suspended without enquiry for more than four days. He submitted that he was appointed by an appointment letter duly signed by Vice President of the Employer, however, he was dismissed from service by letter dated 12-12-2012 signed by Plant Manager. He therefore submitted that the action of the Employer in dismissing him from service is null, void and illegal. He submitted that no powers were given by the Board of Directors of the Employer to the Plant Manager by taking appropriate resolution to dismiss him from service. He therefore submitted that his dismissal from service is bad-in-law. He submitted that the punishment of dismissal from service issued to him is disproportionate to the proved misconduct. He submitted that he is unemployed from the date of termination of his services till date. The Workman therefore prayed that he be reinstated in service with full back wages

alongwith consequential benefits. In support of his oral contentions, the Workman relied upon following judgments:

- (a) In the case of M/s. Hindalco Industries Ltd. v/s. State of U.P. and 3 others, reported in AIR 1996 All 199 of Hon'ble High Court of Allahabad.
- (b) In the case of Raghubir Singh v/s. General Manager, Haryana Road ways, Hissar, reported in 2014 10 SCC 301 of Hon'ble Apex Court.
- (c) In the case of Tecumseh Products India Ltd. v/s. The Presiding Officer and Anr., LPA No. 403 of 2013 of Hon'ble High Court of Punjab and Haryana.
- (d) In the case of Indian Seamless Metal Tubes Limited (Tubes Works), Ahmednagar v/s. Kailash Nampelli Ushakoyal & Anr., reported in 2014 III CLR 47 of Hon'ble High Court of Bombay.

The Workman therefore prayed for setting aside the dismissal order dated 12-12-2012 and direct the Employer to reinstate him in service with full back wages and consequential benefits thereof.

14. Per contra, Ld. Adv. Shri G.B. Kamat, representing the Employer submitted that undisputedly, the Workman was working with the Employer as 'Technician' since 01-10-1991 till the date of his dismissal w.e.f. 12-12-2012. He submitted that the Workman was issued a charge-sheet dated 21-06-2011. He submitted that the Workman was dismissed from service for his proved misconduct as spelt out in the charge-sheet dated 21-06-2011 by holding an enquiry. He submitted that vide order dated 11-06-2019 passed by this Hon'ble Court in its findings on the preliminary issue No. 1 and 2, it is held that a free, fair and proper enquiry has been held against the Workman and that except the charge of habitual absence without leave or absence without leave for more than 10 days, all the charges of misconducts levelled against the Workman vide charge-sheet dated 21-06-2011 have been proved to the satisfaction of this court by acceptable evidence. He submitted that the misconduct proved against the Workman were severe and grave warranting the dismissal of service of the Workman. He submitted that the punishment of dismissal imposed on the Workman is proportionate to the proved misconduct. He submitted that the punishment of dismissal from service imposed on the Workman is just, fair and proper. He submitted that the past record of the Workman is blemished and had been issued several

memos, show-cause notices etc. In support of his oral contention he relied upon the following judgments of Hon'ble Supreme Court of India.

- (a) In the case of Mahindra and Mahindra Ltd. v/s. N.B. Narawade reported in AIR 2004 SC 1993.
- (b) In the case of M.P. Electricity Board v/s. Jagdish Chandra Sharma reported in [(2005) 3 SCC 401].
- (c) In the case of Hombe Gowda Education Trust and Anr. v/s. State of Karnataka & Ors., reported in 2006 (1) SCC 430.
- (d) In the case of Employers Management West Bokaro Colliery of Tisco Ltd. v/s. Ram Pravesh Singh, reported in AIR 2008 SC 1162.

He also relied upon a judgment of Hon'ble High Court of Gujrat in the case of Madhavsingh N. Solanki v/s. Gujrat Electricity Corporation Ltd. and Anr., reported in 2001 LAB I.C. 3491.

I have carefully perused the entire records of the present case including the synopsis of arguments filed by the Employer. I have carefully considered the various submissions advanced by the Workman as well as Ld. Adv. Shri G.B. Kamat appearing for the Employer.

REASONS

15. Issue No. 1 and 2:

Vide order dated 11-06-2019 passed by this Hon'ble Court in its findings on the preliminary issue No. 1 and 2, it is held that a free, fair and proper enquiry has been held against the Workman and that except the charge of habitual absence without leave or absence without leave for more than 10 days, all the charges of misconducts levelled against the Workman vide charge-sheet dated 21-06-2011 have been proved to the satisfaction of this court by acceptable evidence. The issue No. 1 is answered in the affirmative and the issue No. 2 is answered partly in the affirmative and partly in the negative.

16. Issue No. 3:

It appears from the pleadings of the Workman on record that the Workman challenged his order of dismissal from service w.e.f. 12-12-2012 by contending to be illegal and unjustified on the ground that the enquiry conducted against him is unfair, improper, in violation of the principles of natural justice and that the punishment imposed upon him is of severe nature.

17. In the case of **Mahindra and Mahindra Ltd. (supra)**, the Hon'ble Supreme Court has held that *"It is no doubt true that after introduction of Section 11-A in the I.D. Act, 1947, certain amount of discretion is vested with the Labour Court/ Industrial Tribunal in interfering with the quantum of punishment awarded by the management where the Workman concerned is found guilty of misconduct. The said area of discretion has been very well defined by the various judgments of this court referred to hereinabove and it is certainly not unlimited as has been observed by the Division Bench of the High Court. The discretion, which can be exercised under Sec. 11-A is available only on the existence of certain factors like punishment being disproportionate to the gravity of misconduct so as to disturb the conscience of the court, or the existence of any mitigating circumstances which require the reduction of the sentence or past conduct of the Workman which may persuade the Labour Court to reduce the punishment. In the absence of any such factor existing, the Labour Court cannot by way of sympathy alone exercise the power u/s. 11-A of the Act and reduce the punishment"*.

18. In the case of **Chairman & Managing Director, United Commercial Bank and Other V/s P. C. Kakkar.**, reported in 2003 – LLR 436, the Hon'ble Supreme Court of India has held that *"the court should not interfere with the administrator's decision unless it was illogical or suffers from procedural impropriety or was shocking to the conscience of the Court, in the sense that it was in defiance of logic or moral standards. Only where the Court finds that a punishment is shockingly disproportionate it must record reasons for coming to such conclusion and mere expression that the punishment is shockingly disproportionate could not meet the requirement of law. Further the charges against Respondent not being casual in nature, but being serious, the High Court was not justified in interfering with the quantum of punishment"*.

19. The Principle laid down by the Hon'ble Supreme Court of India, in its aforesaid respective judgments is well established and there is no dispute about the same. Thus, it is settled law that the discretion of the court to alter or reduce the punishment as empowered u/s. 11-A of the I.D. Act, 1947 is not absolute. The discretion, which can be exercised u/s 11-A is available only on the existence of certain factors, like punishment being disproportionate to the gravity of misconduct, so as to disturb the conscience of the Court, or the

existence of any mitigating circumstances, which requires the reduction of the sentence or the past conduct of the Workman, which may persuade the Labour Court to reduce the punishment.

Ld. Adv. Shri G.B. Kamat appearing for the Employer, relied upon the following judgments of Hon'ble Apex Court in support of its contention that the action of the Employer in dismissing the services of the Workman is just, fair and proper.

20. In the case of **Mahindra and Mahindra (supra)**, where the Hon'ble Supreme Court has held as under:

".....as noticed herein above at least in two of the cases cited before us, i.e. Orissa Cement Ltd. (supra) and New Shorrock Mills (supra), the Hon'ble Supreme Court has that "punishment of dismissal for using of abusive language cannot be held to be disproportionate". In this case all the forums below have held that the language used by the Workman was filthy. We too are of the opinion that the language used by the Workman is such that it cannot be tolerated by any civilized society. Use of such abusive language against a superior officer, that too not once but twice, in the presence of his subordinates cannot be termed to be an indiscipline calling for lesser punishment in the absence of any extenuating factor referred to hereinabove...."

21. In the case of **M.P. Electricity Board (supra)**, the Hon'ble Supreme Court held as under:

"In the case on hand, the employee has been found guilty of hitting and injuring his superior officer at the workplace, obviously in the presence of other employees. This clearly amounted to breach of discipline in the organization. Discipline at the workplace in an organization like the Employer herein, is the sine qua non for the efficient working of the organization. When an employee breaches such discipline and the Employer terminates his services, it is not open to a Labour Court or an Industrial Tribunal to take the view that the punishment awarded is shockingly disproportionate to the charge proved. We have already referred to the views of this court. To quote Jack Chan, "discipline is a form of civilly responsible behaviour which helps maintain social order and contributes to the preservation, if not advancement, of collective interests of society at large".

22. In the case of **Hombe Gowda Education Trust and Anr. (supra)**, the Hon'ble Supreme Court has held as under:

".....The recent trend in the decisions of this court seek to strike a balance between the earlier approach of the industrial relation wherein only the interest of the workmen was sought to be protected with the a vowed object of fast industrial growth of the country. In several decisions of this court it has been noticed that how discipline at the workplaces/industrial undertaking received a set back. In view of the change in economic policy of the country, it may not now be proper to allow the employees to break the discipline with impunity. Our country is governed by rule of law. All actions, therefore, must be taken in accordance with law. Law declared by this court in terms of Article 141 of the constitution of India, as noticed in the decisions noticed supra, categorically demonstrates that the Tribunal would not normally interfere with the quantum of punishment imposed by the Employers unless an appropriate case is made out therefor. The Tribunal being inferior to that of this court was bound to follow the decisions of this court which are applicable to the fact of the present case in question. The Tribunal can neither ignore the ratio laid down by this court nor refuse to follow the same....."

Further, in the same judgment, the Hon'ble Supreme Court held as under:

"A person, when dismissed from services, is put to a great hardship but that would not mean that a grave misconduct should go unpunished. Although the doctrine of proportionality may be applicable in such matters, but a punishment of dismissal from service for such a misconduct cannot be said to be unheard of maintenance of discipline of an institution is equally important...."

23. In the case of **Employers Management West Bokaro Colliery of Tisco Ltd. (supra)**, the Hon'ble Supreme Court held as under:

"After going through the order of the Industrial Tribunal, we are of the opinion that the Tribunal has interfered with the findings recorded by the domestic Tribunal as if it was the Appellate Tribunal. There was evidence present on record regarding indecent, riotous and disorderly behaviour of the respondent towards his superiors. The management witnesses who were present at the scene of occurrence have unequivocally deposed about

the misbehavior of the respondent towards his superiors. Their evidence has been discarded by the Tribunal by observing that in the absence of independent evidence, the statements of the workmen who were present at the scene of occurrence could not be believed. The Industrial Tribunal fell in error in discarding the evidence produced by the management only because the independent witnesses, were not produced....."

24. In the case of **Madhavsingh N. Solanki v/s. Gujrat Electricity Corporation Ltd. (supra)**, the Hon'ble High Court of Gujrat in para 14 of its judgment held as under:

"14. The Apex Court, in Bharat Heavy Electricals Ltd. v/s. M. Chandrashekar Reddy and Ors, in paragraph 26 held as under at p.870 of LLJ:

23.....The fact that the misconduct now alleged is the first misconduct again is no ground to condone the misconduct...."

From the aforesaid decision of the Apex Court, it is clear that past record of service may be a relevant factor for considering as to whether the punishment imposed upon the delinquent employee was shockingly disproportionate to the charge or not but merely because it was a first misconduct could not be a ground to condone a serious misconduct. Now coming to the facts of the case in hand, we find that in past there was no misconduct committed by the appellant and poor financial condition may be a relevant consideration for awarding lesser punishment, but the gravity of charge which was found proved against the appellant that he interfered with the inquiry proceedings of another daily wage employee, misbehaved with the Inquiry Officer, tore the papers of the inquiry proceedings were sufficient to warrant his dismissal from service. No lenient view could be taken in such matters as it would encourage indiscipline and such employee has to be dealt with an iron hand by the Employer. The Labour court had not given cogent reasons as to why it has directed reinstatement in service when the Labour Court had found the charge of misbehavior and misconduct proved against the Workman. The only reason given by the Labour Court is that in the past the Appellant had not committed any misconduct, was not sufficient to condone the grave misconduct committed by the appellant. The reprehensible behaviour of the appellant and serious misconduct committed by him was not pardonable and the dismissal from service in

such case was the appropriate punishment. We do not find any illegality in the impugned judgment passed by the learned single judge. In the result, this appeal fails and is accordingly dismissed summarily...."

The principle laid down by the Hon'ble Apex Court as well as Hon'ble High Court of Gujarat in its aforesaid respective judgments is well established and also applicable to the case in hand.

25. In the instant case, vide order dated 11-06-2019 passed in my findings on preliminary issue No. 1 and 2, I have discussed and come to the conclusion that the enquiry conducted against the Workman is fair and proper and that except the charge of habitual absence without leave or absence without leave for more than 10 days, all the charges of misconduct levelled against the Workman vide charge-sheet dated 21-06-2011 have been proved to the satisfaction of this court by acceptable evidence. The charges of misconduct proved against the Workman vide charge-sheet dated 21-06-2011 are so grave and serious in nature that the unblemished past record would not operate as a mitigating factor. The punishment of dismissal from service imposed upon the Workman is proportionate to the proved misconduct, taking into consideration the past record of the Workman as well as the extenuating circumstances. The dismissal from service of the Workman is just, fair and proper.

26. During the course of oral arguments, the Workman submitted that he was appointed by a Vice-President of the Employer and that he was dismissed from service by a letter duly signed by the Plant Manager of the Employer and as such his dismissal from service is illegal and unjustified. The Workman further submitted that no powers were given by the Board of Directors of the Employer by way of resolution to dismiss him from service. However, I do not find any merits in the aforesaid submissions of the Workman as there is no pleading to that effect.

27. In the case of **Indian Seamless Metal Tubes Limited (Tubes Works), Ahmednagar (supra)**, before the Hon'ble High Court of Bombay, the Workman was dismissed from service after having proved the charges of misconduct namely disobedience of the lawful order and refusal to accept a charge-sheet or a communication. The Workman challenged his dismissal by filing a complaint (ULP) before the Labour Court. The Labour Court partly allowed the complaint by its impugned judgment dated 05-09-1996 and the order of dismissal of the Respondent was held to be

bad-in-law. The Petitioner challenged the judgment of the Labour Court by filing a revision petition before the Industrial Tribunal, which resulted in its dismissal. The Petitioner challenged the dismissal order of the Industrial Tribunal by filing a writ petition before the Hon'ble High Court. While dismissing the writ petition filed by the Petitioner, the Hon'ble High Court has observed as under

"25. In my view, the Employer is obliged to consider the past records since a clean and unblemished record operates as a mitigating factor to reduce the seriousness and the gravity of the misconduct proved against the Workman. Similarly, a bad/blemished past record would aggravate the seriousness and gravity of proved misconduct."

The principle laid down by the Hon'ble High Court of Bombay is well established and also applicable to the case in hand. However, Clause 5 of the letter of dismissal dated 12-12-2012 issued to the Workman indicates that the Employer considered the past records of the Workman and have come to the conclusion there are no extenuating circumstances.

28. In the case of **M/s. Hindalco Industries Ltd. (supra)**, the Hon'ble High Court of Allahabad held that "a careful reading of the Clause 21 of the Certified Standing Orders indicates that an act of habitual absence or an act of negligence or neglect of work, if repeated is an act or omission, which would amount to a misconduct. There is no doubt about the fact that about the wilful disobedience or insubordination is an act of misconduct under Clause 21 (y) of the Certified Standing Orders but taking note of the fact that the Labour Court has substituted the punishment of dismissal in order to give a chance to the Workman to improve himself, this court in exercise of power of judicial review under Article 226 of the Constitution of India does not find any justification to take a different view. Further the Hon'ble High Court further held that "the Labour Court having taken note of Clause 21 of the CSO held that the absence of the Workman from duty was a solitary act. It was not a repeated act of negligence of duties and the Workman cannot be said to be habitual absentee. It has further noticed that though the charge of threatening to superior at his residence is proved but since it was an act outside the precincts of the establishment and further no criminal complaint has been lodged against the Workman, it was not such a serious misconduct which would warrant punishment of dismissal".

The principle laid down by the Hon'ble High Court in its aforesaid case is not applicable to the case in hand as the facts of the case in hand are totally different than the case before the Hon'ble High Court.

29. In the case of **Raghubir Singh (Supra)**, the Hon'ble Apex Court in para 40 of its judgment held as under:

"40. The above critical analysis of law laid down by this Court in the case referred to supra, is very much relevant to the case on hand, which is neither discussed nor considered and examined by the courts below while answering the reference made by the State Government and passing the award, judgments and orders in a cavalier manner. Thus, the lives of the appellant and his family members have been hampered. Further, on facts, we have to hold that the order of termination passed is highly disproportionate to the gravity of misconduct and therefore shocks the conscience of this court. Hence, we hold that the appellant is entitled for the reliefs as prayed by him in this appeal".

The principle laid down by the Hon'ble Apex Court is not applicable to the case in hand.

Hence, it is held that the Workman failed to prove that the termination of his services w.e.f. 12-12-2012 is illegal and unjustified. The issue No. 3 is answered in the negative.

30. Issue No. 4:

The Employer, by way of its preliminary objections, submitted that the reference is bad-in-law, that the Party I has not given any justifications for the demands/claims raised by him that the dispute raised by the Party I is not an 'industrial dispute' as defined u/s 2 (k) of the I.D. Act, 1947 and that there is non-application of mind by the Appropriate Government, while referring the dispute. The burden was cast on the Employer to prove the said issue No. 4.

31. The Employer has however, did not examine any of its witness in support of its aforesaid submissions. Even otherwise, the Employer admitted the status of the Party I as 'workman' within the meaning of Section 2 (s) of the I.D. Act, 1947. The dispute raised by the Workman pertaining to his non-employment is therefore an 'industrial dispute' within the meaning of Section 2 (k) of the I.D. Act, 1947. Hence, I do not find any merits in the preliminary objections raised by the Employer. It is therefore held that the

Employer failed to prove that the reference is not maintainable and bad-in-law in view of reasons stated by the Employer in para (a) to (d) of its written statement. The issue No. 4 is therefore answered in the negative.

In view of the above discussion and with regards to the facts and circumstances of the case, I pass the following order:

ORDER

1. It is held that action of the management of M/s. Procter and Gamble Hygiene and Health Care Ltd., Plot No. 173, GDDIC, Kundaim, Ponda-Goa in dismissing from service Shri Ramdas Naik, Technician, with effect from 12-12-2012, is legal and justified.
2. It is further held that the Workman, Shri Ramdas Naik, Technician, is not entitled to any relief.
3. No order as to costs.

Inform the Government accordingly.

Sd/-

(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.

Department of Panchayati Raj & Community Development Directorate of Panchayats

Read: Notice of Election and Public Notice

FORM I

[See Rule 10(1)]

Notice is hereby given that:-

The elections will be held to elect the members of the below mentioned Village Panchayat on 26th April, 2020.

Sr. No.	Name of the Village Panchayat	Ward No.	Reserved for OBC/ST/Woman
1.	V. P. Agassaim, Tiswadi	VII	ST

Nominations may be delivered by a candidate to the Returning Officer in his office between such hours as to be fixed by the State Election Commission.

By order and in the name of the Governor of Goa.

Sd/- Secretary (Panchayats).
Panaji, 27th January, 2020.

Department of Personnel

—
Order

No. 5/16/2017-PER/407

Read: 1) Order No. 6/20/2016-PER/782 dated 07-03-2019.

In terms of Rule 28 of the Goa Civil Service Rules, 2016 and on the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/12/42(1)/2020/326 dated 28-01-2020, the Governor of Goa is pleased to declare the following Junior Scale Officers of Goa Civil Service, to have satisfactorily completed their period of probation in Junior Scale of Goa Civil Service and confirmed in the grade with effect from the date of their completion of probation period i.e. 24-11-2016:

Sr. No.	Name of the probationers
1.	Shri Umakant Nhanu Korkankar.
2.	Smt. Fransquinha Oliveira.
3.	Shri Paresh M. Fal Desai.
4.	Shri Sudhir Kerkar.
5.	Shri Shankar Barkelo Gaonkar.
6.	Smt. Triveni Paik Velip.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 4th February, 2020.

Order

No. 4/4/2013-PER/410

Read: Order No. 4/4/2013-PER/3635 dated 06-12-2019.

The Governor of Goa is pleased to order transfer of Dr. (Smt.) Shamila Dos Milagres Monteiro, Director of Fisheries as Member Secretary, Goa State Pollution Control Board, Saligao.

Smt. Monteiro shall also hold the charge of Director in the Directorate of Fisheries in addition to her own duties till further orders.

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).
Porvorim, 4th February, 2020.

Order

No. 6/11/2019-PER/456

In exercise of the powers conferred under Rule 43, of the Goa Civil Service Rules, 2016 (hereinafter to be called as said rules), the Government, in consultation with the Goa Public Service Commission, hereby relaxes Rule 31 (2) of the said Rules, to the extent as indicated in column (3) of the table hereinunder to the following class of officers in Junior Scale of Goa Civil Service as mentioned in column (2):

Sr. No.	Name of the officer	Relaxation in years of qualifying service granted
1	2	3
1.	Shri Umakant Korkankar	1 year 02 months.
2.	Smt. Fransquinha Oliveira	1 year 02 months.
3.	Shri Paresh Fal Desai	1 year 02 months.
4.	Shri Sudhir S. Kerkar	1 year 02 months.
5.	Shri Shankar B. Gaonkar	1 year 02 months.
6.	Smt. Triveni Paik Velip	1 year 02 months.

This issues with the approval of the Goa Public Service Commission conveyed vide letter No. COM/II/11/42(1)/2020/1649 dated 07-02-2020.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 7th February, 2020.

Order

No. 6/16/2013-PER/Part/431

Read: Order No. 6/16/2013-PER/Part dated 21-04-2017.

Whereas, on the recommendation of Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide its letter No. COM/II/11/42(1)/2016/573 dated 19-04-2017, 22 Officers holding the posts included in Schedule-II of the Goa Civil Service Rules, 2016, were promoted to Junior Scale of Goa Civil Service, Group 'A' Gazetted, in the Level 10 of the Pay Matrix vide Order read in the preamble;

And whereas, Shri Tushar Halarnkar, one of the Officer holding the post included in Schedule II of the Goa Civil Service Rules, 2016 was also considered by the D.P.C. for promotion to Junior Scale of Goa Civil Service, but the findings of D.P.C. were kept in sealed cover;

And whereas, the Directorate of Vigilance has informed that no disciplinary proceedings are pending against Shri Halarnkar;

And whereas, the proposal was referred to the Commission to open the sealed cover;

Now therefore, on the recommendation of the Departmental Promotion Committee conveyed by the Goa Public Service Commission vide its letter No. COM/II/11/42(1)/2019/338 dated 31-01-2020, the Governor of Goa is pleased to promote and appoint Shri Tushar Halarnkar to Junior Scale of Goa Civil Service, Group 'A' Gazetted under Rule 17 of the Goa Civil Service Rules, 2016 read with Rule 8 (b) of the said Rules in Level 10 of the C.C.S. Revised Pay Rules, 2016 w.e.f. 21-04-2017 and place him below Smt. Anuja A. Naik Gaunkar alias Faldessai and above Shri Manuel P. Barreto in the order read in preamble.

Shri Tushar Halarnkar shall be on probation for a period of two years with effect from 21-04-2017.

He shall exercise option for pay fixation in the promotional grade in terms of provisions of F.R. 22(1)a(1) within a period of one month from the date of issue of the order.

The option once exercised shall be final. He shall be entitled for all the consequential benefits enjoyed by his juniors promoted vide order dated 21-04-2017 read in the preamble.

Shri Tushar Halarnkar shall continue in the present posting, until further orders.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 6th February, 2020.

Order

No. 7/23/2017-PER/481

Read: Letter No. 14046/66/2013.ITS.I dated 04-02-2020.

Sanction of the Government is accorded to relieve Shri Ravi Jha, IAS (AGMUT:2011) from the State Administration w.e.f. 14-02-2020 (a.n.), to join

the new place of posting as OSD to the Minister for State (I/C) DoNER and Mos for PMO, PPG&P, Atomic Energy and Space (Dr. Jitendra Singh) in the Department of Atomic Energy, New Delhi.

Shri Sanjay Kumar, IAS, Secretary (Revenue), shall hold the charge held by Shri Ravi Jha, IAS, Secretary (IT) in addition to his own duties.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 10th February, 2020.

Department of Social Welfare

Directorate of Social Welfare

Notification

No. 51-99-2016-17-HC/4947

In exercise of the powers conferred by sub-rules (2) and (3) of Rule 17 of the Goa Rights of Persons with Disabilities Rules, 2018, the Government of Goa hereby constitutes the Search-cum-Selection Committee consisting of the following members, namely:

1. Secretary (Social Welfare) — Chairperson.
2. Joint Secretary (Personnel) — Member.
3. Director of Social Welfare — Member Secretary.

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Umeshchandra Joshi, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 11th February, 2020.

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Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 16.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—358/160-2/2020.